

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated August 22, 2008.

Applicant's attorneys appreciate the Examiner's continued thorough search and examination of the present patent application.

Claims 1-28 are pending in this application. Claims 3, 6 and 17-28 have been withdrawn from consideration. Claims 1 and 8-12 have been rejected. Claims 2, 4, 5, 7, and 13-16 have been objected to, but would be allowable if rewritten in independent form.

Accordingly, claims 2 and 13 have been amended to include all the recitations of independent claim 1 from which these claims depend. Claims 4, 5, 7, and 14-16 depend directly or indirectly from claims 2 and 13. Thus, claims 2, 4, 5, 7, and 13-16 are now allowable.

Claims 1 and 8 have been rejected under 35 U.S.C. §102(b) as being anticipated by Sachdeva (5,607,435). Reconsideration and withdrawal of this rejection are respectfully requested.

Claims 9 and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sachdeva in view of Krupa (2003/0216616). Reconsideration and withdrawal of this rejection are respectfully requested.

Claim 10 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Sachdeva in view of Flaherty (6,726,677). Reconsideration and withdrawal of this rejection are respectfully requested.

Claim 12 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Sachdeva in view of Hasegawa (2002/0032365). Reconsideration and withdrawal of this rejection are respectfully requested.

The endoscope system of claim 1 recites a guide member including a plurality of tubular members, each having "a direction changing unit operative to change an advancing direction in which tubular members ... are advanced."

To further clarify the structure of the endoscope system of the invention, claim 1 has been amended to specify that the direction changing units are discrete or separate from the tubular members. This is illustrated in Figure 3, the distal ends of the tubular members 8a and 8b are inserted into the direction changing units 9a and 9b, respectively. Also, in Figure 2b, the distal end of the tubular member 8a is shown to be attached to the wider opening of the direction

changing unit 9a. Accordingly, claim 1 now recites “the direction changing unit having an opening for receiving the distal end of the tubular member.”

The Examiner has associated a curl in the tubular section 12 of Sachdeva to the direction changing unit of claim 1. However, Sachdeva does not teach or suggest that every tubular section has the curl. Thus, Sachdeva does not teach, disclose, or suggest “each tubular member of the plurality of tubular members having ... a direction changing unit operative to change an advancing direction” as recited in claim 1.

Further, in Sachdeva the curl in the tubular section is an integral part of the tubular section 12. Thus, Sachdeva does not teach, disclose, or suggest “the direction changing unit having an opening for receiving the distal end of the tubular member” as recited in amended claim 1

Therefore, for the above reasons, Sachdeva does not anticipate claim 1.

Krupa, Flaherty, and Hasegawa do not remedy the deficiencies of Sachdeva and have not been used to reject independent claim 1.

Claims 8, 9, 10, 11 and 12 depend directly or indirectly from above discussed independent claim 1 and are, therefore, allowable for the same reasons, as well as because of the combination of features in those claims with the features set forth in the respective independent claim.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

THIS CORRESPONDENCE IS BEING
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Respectfully submitted,



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